

Perspectives

FOR ACTIVE
MEMBERS
OF THE
NORTH DAKOTA
PUBLIC
EMPLOYEES
RETIREMENT
SYSTEM

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Board Members:

Jon Strinden
Chairman
Sandi Tabor

Attorney General Appointee

Dr. Terry L. Dwelle
State Health Officer

Members Elected:

Rosey Sand, Howard G. Sage,
David Gunkel, Ron Leingang
Sparb Collins
Executive Director
Kathy M. Allen
Editor

Keep Healthy with MyHealthConnection

Submitted by Blue Cross Blue Shield of North Dakota

The following program is available to active employees and their dependents, employees and dependents on COBRA continuation, and pre-Medicare employees and their dependents.



It's 2 a.m. and your child has a fever. Should you go to the emergency room? You are considering back surgery. What questions should you ask your doctor? You have diabetes. How can you prevent long-term complications like heart and kidney disease? All are certainly important questions; now you have a resource to get some answers.

Starting October 2005, you can call 1-800-658-2750 anytime for answers to your health questions. The North Dakota Public Employees Retirement System

group health plan, underwritten by BCBS of North Dakota, will be enhanced to include 24-hour access to personal Health Coaches through MyHealthConnection.

MyHealthConnection is a team of specially trained nurses, respiratory therapists, dietitians and other professionals who can answer your health questions about prevention and treatment options. This program is provided – at no cost to you – by NDPERS.

...continued on back page

NDPERS Special Board Election

Due to the retirement of David Gunkel, there is an opening on the NDPERS Board. Therefore, a special election must be conducted to fill this vacancy. The election is to fill the unexpired portion of the current term which expires on June 30, 2009. NDPERS is required to give notification of the vacancy and the election process to all active members of NDPERS.

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ANNUAL ENROLLMENT SEASON – 2005 PLAN YEAR

The Annual Enrollment Season will be held starting Monday, October 3 and ending Tuesday, November 15, 2005. In late September, eligible employees will receive an Annual Enrollment Season postcard at their home mailing address. NDPERS will have the information pertaining to the NDPERS flexcomp, health, life, dental, vision and long term care insurance plans available on our website on Monday, October 3rd. Enrollment forms will be accessible via the PERS website and must be dated no earlier than October 3rd and no later than November 15th, 2005. If you do not have website access please contact your payroll office for a copy of the information and enrollment forms.

Introducing Prudential Life Insurance Company of America

The new carrier of the NDPERS Group Life Insurance plan effective July 1, 2005 is Prudential Life Insurance Company of America. Along with the change in carrier came a couple of plan design changes as well. For starters, as you may have already noticed, the premium rates in almost all levels of coverage for both the employee and dependents have decreased. Secondly, the rules for part-time temporary employees have changed. Now both full-time and part-time employees will be treated the same in that the only time (when first hired) that an Evidence of Insurability is required is on spouse supplemental coverage requests over \$50,000. Some new plan features have been added such as Tuition Reimbursement for your spouse/dependent child and day care expense for your dependent child if your loss of life occurs. NDPERS will have all of the information available on our website by October 3rd, the date annual enrollment begins.

Be watching your mail for the upcoming Annual Enrollment Season announcement.

Do Something Nice for Yourself!

If you have recently received a salary increase, congratulations. You deserve it! Why not take that increase and do something really nice for yourself. Reward yourself by putting all or part of the increase into the NDPERS deferred compensation plan.

What is deferred compensation?

Deferred compensation is a voluntary supplemental retirement plan under IRS code section 457. It allows eligible employees to defer a portion of their salary, on a pre-tax basis and have it invested for payment to them at a later date, usually at retirement. The minimum contribution is \$25 a month (\$300 annually) and is set by the PERS Board. The annual maximum contribution is the limit set by the IRS or 100% of

includable compensation, whichever is less. The IRS maximum is currently \$14,000 for 2005; this will increase to \$15,000 for 2006. Older employees may be eligible to defer more than the maximum subject to IRS guidelines.

The NDPERS deferred compensation plan has 12 investment providers from which you can choose to set up your account. For information about the

TIPS FOR FILING FLEXCOMP CLAIMS

Goodbye to Out-of-Date FlexComp Reimbursement Voucher Forms

The FlexComp reimbursement voucher (SFN 16868) was revised effective January 1, 2004; however, we are still receiving claims on vouchers dated prior to this date. We are asking participants to dispose of all FlexComp reimbursement voucher forms with an earlier revision date than 1-04. Beginning January 1, 2006, any FlexComp claims received on an out-of-date reimbursement voucher will be returned with a request to resubmit the information on the current form in use.

For convenience, there are two versions of the FlexComp reimbursement voucher on our website at www.nd.gov/ndpers. The Print Version is a printable form to print and fill out and the Fill and Print Version is an interactive online version of the form that allows employees to input the information and it automatically calculates the column total.

Your claim form must include both your Social Security number and your Employee ID number. Your Employee ID number can be found on your FlexComp

checks or direct deposit notices. Please be sure to include these numbers when filing a claim.

We also have transitioned the FlexComp records to FileNet. In order to scan documents into this system, we must comply with certain specifications.

- DO NOT use staples or highlighter on your form or receipts.
- Only 8 1/2 by 11 inch size paper can be scanned. Therefore, please copy any receipts/statements smaller than this size and send us the copy. Retain the originals for your records. Copies must be legible and will be returned if unreadable.
- DO NOT submit two-sided copies.
- Use only blue or black ink for filling out and signing your form.
- DO NOT write over or make any notations in the bar code section in the upper right corner of the form.

Your assistance with these requirements is appreciated as it expedites the processing of your claim.

deferred compensation plan, please visit the NDPERS web site at www.nd.gov/ndpers and select Active Members then Deferred Compensation Plan on the menu. Here you will find a list of provider companies and associated agents, a summary description of the deferred comp plan, and a summary of investment options, as well as links to some of the provider web sites.

If you already participate in deferred comp, changing your contribution couldn't be easier. Visit the PERS website and select Forms & Publications. Print the Participant Agreement for Salary Reduction form (SFN 3803), complete, and return to your payroll office.

If You Do Not Participate in the Deferred Comp Plan...

We have designed our plan to make saving as convenient as possible by providing an EXPEDITED enrollment option. The expedited enrollment does not require you to make a decision regarding amount of contribution, investment allocation, or selecting a provider company and agent. Just complete the Expedited 457 Deferred Compensation Plan and PEP Enrollment Form, SFN 54362.

By completing Part A, initialing the statements in Part C, and signing and dating the form, you will automatically be enrolled for the minimum contribution of \$25 a month or you may designate a higher amount. Your

contributions will be invested with the NDPERS Companion Plan in the Fidelity Freedom Funds. The Companion Plan is a PERS trust fund and the PERS Board selects and monitors the investments offered under this plan. Information on these funds may be found on the NDPERS web site by selecting Active Members, Deferred Compensation Plan and then NDPERS Companion Plan. You may also contact a Fidelity representative direct at 1-800-343-0860 to assist you and to explain other investments options.

Also, while visiting our website, review the PEP brochure. PEP is the program that allows you to vest in the employer contribution to the defined benefit hybrid retirement plan. You are automatically enrolled in PEP if you are enrolled in the NDPERS deferred compensation plan or another plan approved by PERS. Remember, for every dollar you put in the deferred compensation plan, NDPERS will add one dollar to your defined benefit plan member account subject to a vesting schedule.

Feel Good Knowing You are Planning for Your Financial Future

Deferred compensation can supplement your retirement savings, lower your taxable income and provide access to more of your public employee retirement dollars. The money you won't miss today may be more money for a brighter future.

BCBS Established Member Rebate Accounts

Blue Cross Blue Shield of North Dakota receives retrospective discount payments, referred to in the pharmaceutical industry as rebates, from some drug manufacturers for certain medications.

Now, a portion of these rebates will be passed directly to NDPERS members because you pay part of the prescription drugs costs under NDPERS' health benefit plan. Your portion of the rebate is based on a percentage of the out-of-pocket expenses, less any copayments you pay.

BCBSND has established Member Rebate Accounts (MRAs) for each NDPERS member. BCBSND receives the rebate discount from the manufacturers typically 12 to 15 months after your purchase. Beginning October 1, 2005, BCBSND will calculate your portion of any applicable rebate for covered prescription drugs and transfer it into your individual MRA.

Starting October 1, 2006, NDPERS members will be eligible to use their accumulated rebate dollars toward new prescription purchases. A member's out-of-pocket expense will automatically be reduced by the amount available in their MRA at the time of purchase at the pharmacy. Members will not receive rebate checks in the mail.

For more information, go to the NDPERS web site at www.nd.gov/ndpers and select Active Members and then Group Health Insurance Plan. Here you will find additional information and answers to frequently asked questions. If you require additional information, contact Blue Cross Blue Shield of North Dakota: Fargo area: (701) 282-1400. Toll-free: 800-223-1704.

Dakota Plan Makes Improvement to Formulary Drug Coinsurance

Effective July 1, 2005 an improvement took place concerning the NDPERS Dakota Plan formulary prescription drug benefit. A \$1,000 maximum was placed on the coinsurance portion, meaning that each person covered on the plan would pay no more than \$1,000 per year towards coinsurance for formulary prescription drugs. After the maximum is met, you will only pay the applicable copayment amount for the remainder of the calendar year. This is good news for individuals who have high prescription drugs expenses.

NDPERS encourages you to visit with your physician /pharmacist concerning your prescription drugs. It's much more inexpensive to use Formulary rather than Non-Formulary prescription drugs. Likewise, it's much cheaper to utilize generic drugs whenever possible. It never hurts to ask questions – it only makes dollars and cents!

Administrative Requirements for Monthly Retirement Benefits

The eligibility date for retirement benefits is the first day of the month following the date of your final paycheck from your employer. The first benefit payment will be made on the first working day of the month following the eligibility date.

The above is contingent on you and your employer completing a "Retirement Kit SFN 53723" and sending it to NDPERS within 30-60 days prior to retirement. In accordance with laws governing processing retirement benefits, NDPERS must receive an "Application for Retirement Benefits SFN 2562" and appropriate legal documentation at least 31 days before retirement or before the distribution of the first retirement check. If documents are filed too late, the payment will be delayed.



2005 Legislative Retirement Changes

Effective August 1, 2005

Twenty (20) Year Term Certain

The Five (5) Year Term Certain optional form of retirement benefit was removed and replaced with a Twenty (20) Year Term Certain option.

The 20 Year Term Certain option is reduced benefit based upon actuarial factors, and is payable to you, the member, for as long as you live. If you die within the first twenty (20) years of your retirement, your beneficiary will continue to receive monthly payments of the same amount until the end of the twenty (20) year period. If you die after receiving benefits for twenty (20) years, there will be no payments made to your beneficiary.

Partial Lump Sum Option (PLSO)

This option is only available to you if you retire at or after your full retirement date. Your full retirement date is determined by the retirement plan you participate in, the plans are:

Retirement Plan

Air National Guard, Security Police & Firefighters
Defined Benefit Plan –Main system
Highway Patrol
Judicial
Law Enforcement

Normal Retirement Date

Age 55
Rule of 85 or Age 65
Rule of 80 or Age 55
Rule of 85 or Age 65
Rule of 85 or Age 55

This option is not available if you select the Social Security Level Income retirement option, are applying for disability benefits, or to your beneficiary if you should pass away.

This option allows you to take a partial lump sum distribution equal to 12 monthly payment of the Single Life option and is payable at the same time as your first monthly retirement benefit. You will still be eligible to select a Joint and Survivor or Term Certain option as your ongoing retirement benefit. The ongoing retirement benefit will be actuarially reduced in exchange for the partial lump sum payment.

The lump sum payment will be eligible to rollover to an IRA or another eligible retirement plan. If not rolled over, the lump sum is taxed as ordinary income and subject to automatic 20 percent federal withholding. If you are under age 59 1/2, you may be subject to a 10% penalty tax for early withdrawal.

Benefits & Return to Work

To be eligible for (1.) refund/rollover, (2.) retirement, or (3.) disability benefits, you must terminate employment or terminate membership. "Termination of employment" means a severance of employment by not being on the payroll of a covered employer for a minimum of one month (31 days). Approved leave of absence does not constitute termination of employment. "Termination of participation" means termination of eligibility to participate in the retirement plan.

1. Refunds/Rollovers

If you applied for a refund/rollover distribution of your member account balance and became re-employed with a participating employer before 31 days have passed, no refund/direct rollover will be issued and your retirement account will pick up where it left off with your previous employment.

If you are transferring to another job where you will be covered by one of the other state sponsored retirement plans see dual membership provisions. If you are transferring to another job, you are not eligible to apply for a refund/rollover distribution.

2. Retirement

a) If you return to *permanent* employment with a NDPERS participating employer, your hours of employment must be restricted if you wish to continue receiving your pension payment unless you qualify under item (b) below. Your employment must be limited to less than 20 hours per week if employed 20 weeks or more months per year. You may work more than 20 hours per week if employed less than 20 weeks per year.

If you are employed for 20 or more hours a week for 20 or more weeks per year then your retirement benefit will be suspended. Upon termination of employment, you may resume retirement benefit. Your previous retirement account will be combined with your current service.

b) If you are eligible for normal retirement (Rule of 85 or age 65) and accept a retirement benefit and become reemployed with a NDPERS participating employer other than the employer with which you were employed at the time you retired, you may, before reenrolling in the retirement plan, elect to permanently waive future participation in the Defined Benefit plan and the Retiree Health Insurance Credit program.

If you make this election you are not required to make any future employee contributions to NDPERS nor is your employer required to make any further contributions on your behalf.

Under N.D.C.C. 54-52-01(8), a "Governmental unit" means the state of North Dakota, except the highway patrol for members of the retirement plan created under chapter 39-03.1, or a participating political subdivision thereof. Therefore, North Dakota state agencies are considered one employer group and any member retiring with one state agency and becoming reemployed with another state agency *would not be eligible* for this return to work provision.

The following retired members may be eligible for this provision:

Past Employer	New Employer
State	Political Subdivision
Political Subdivision	State
Political Subdivision	Political Subdivision

3. Disability

If you return to work in a permanent full-time position and are eligible to participate in NDPERS, your disability benefits must be suspended. If you are not able to continue employment for a consecutive period of time resulting in nine (9) months of service credit as a result of the disability and continue to meet the eligibility requirements under the plan, you may resume disability.

If you return to substantial gainful activity in employment not covered under NDPERS, your disability benefit may continue for up to nine (9) consecutive months. If you are not able to continue employment for at least nine (9) months as a result of the disability and continue to meet the eligibility requirements under the plan, you may continue disability status.

Legislative Employee Benefits Committee

The Legislative Employees Benefits Committee was appointed by the Legislative Council. Members of the committee are Representatives Matthew M. Klein, Chair, Al Carlson, Joe Kroeber, Ken Svedjan, and Francis J. Wald and Senators Ray Holmberg, Ralph L. Kilzer, Karen K. Krebsback, and Carolyn Nelson. This committee has been assigned the responsibility to study total state employee compensation, the human resource system, retirement benefits, and health insurance benefits during the interim. Its first meeting was held on August 30. PERS provided an overview of the retirement systems and group insurance plans it manages and administers on behalf of state employees.

Mail Order Option Available

There is now a mail order prescription drug option available to NDPERS members. This new benefit is provided by PrimeMail Pharmacy.

For more information about the PrimeMail option, access the NDPERS web site at www.nd.gov/ndpers and select Active Members and then Group Health Insurance Plan. Here you will find additional information, answers to frequently asked questions, as well as the pharmacy order form. You can also access the PrimeMail website at www.myrx-health.com or call their toll-free number at 877-357-7463 with any questions or concerns.

BCBS Revises Authorized Representative Form

Blue Cross Blue Shield of North Dakota ("BCBSND") has revised to its Authorized Representative Form to emphasize that the form is entirely voluntary and that, whether or not a minor elects to complete the Form will have no effect on the ability of a personal representative, such as a parent or guardian, to have access to their minor child's health information IF applicable law allows such access without the minor's written permission.

In general, this means that if a child and their parents reside in North Dakota, the child receives health care in the North Dakota, and the child is under the age of 14, or the child is a minor who is 14 or older and was treated for a "non-sensitive" injury or illness, Blue Cross Blue Shield is required to disclose the child's health information to the child's parent. Blue Cross Blue Shield, may, however, take reasonable steps to ensure that the person seeking the health information is, in fact, the parent of this child (and not a nosy neighbor), and is the child's personal representative. Because Blue Cross is authorized to take reasonable steps to verify a person's identity and authority, and to remove sensitive information if the minor child is over the age 14, immediate access to the child's information may not be available.

In addition, it is important to note that if a minor is age 14 or older, the minor may consent to treatment for certain conditions without the consent of his or her parents, and in such a case, a parent cannot obtain information about any such treatment without the minor's permission. The same confidentiality applies – regardless of the minor's age, if the minor receives care under a program covered by federal law regarding treatment for alcohol or drug abuse.

Returning Reservists and PERS Retirement

PERS has received a number of calls from employees returning from active military duty. The active duty is covered under the Uniformed Services Employment and Re-employment Rights Act, (USERRA). To notify PERS of the return, a Notice of Status or Employment Change SFN 53611 must be completed by the employee's employer.

A member returning from active service may be entitled to have their credit for time spent on active duty recognized by PERS for vesting and benefit eligibility purposes in the PERS Defined Benefit, Highway Patrol or Defined Contribution plans. A returning member should make application to PERS by submitting a written request for the above along with a photocopy of their DD214 form.

A returning member may be entitled to purchase the months while they were on active duty for the purpose of benefit calculation at PERS. In addition, legislation passed this session in HB 1069 amended the way the employee contribution is paid into the PERS Defined Benefit, Highway Patrol and Defined Contribution Plans for returning reservists. Specifically the changes are:

1. For eligible veterans returning after the passage of the bill, the employer must pay the employee contribution for missed service for returning veterans in the same manner that the employer would have paid it had the veteran not been called into active duty.
2. For eligible veterans who returned to service since the passage of the Uniform Services Employment and Reemployment Rights Act, which became effective October 1, 1994, the employer must pay the employee contribution for that service in the same manner as outlined above in #1. An appropriation was provided in section 19 of HB 1069 for this purpose.

3. Provides that any past payments made by returning veterans that would qualify for employer payment since the passage of USERRA would be refunded to the employee by the employer.

The above changed our statute which required the returning eligible veteran to pay the employee contribution for past service. The bill became effective on July 1, 2005. The statute requires that the veteran make application to the employer and provide the employer with a copy of their DD214. To assist in the application process for those reservists who HAVE NOT submitted contributions, PERS has revised the Purchase Agreement for USERRA Covered Military Active Duty SFN 17758. This form is required so that the cost of the purchase can be determined.

For those reservists who HAVE already submitted contributions, a new form has been created to assist the reservist, employer and PERS in determining the amount of funds that should be refunded to the reservist by the employer under the above provision #3. The Verification of Employee Contributions Towards USERRA Active Military Duty SFN 54361 should be completed by the reservist and employer. Upon completion, the form should be forwarded to PERS. PERS will research the eligibility under the law and will provide detail regarding the amount of funds to be refunded by the employer to the reservist. PERS will also bill the employer if additional funds are necessary to complete the purchase, if they are now required to be paid by the employer.

All forms referenced in this article are available on the NDPERS website at www.nd.gov/ndpers.

NDPERS Special Board Election ...continued from cover

The PERS Board acts as the administering body to manage the Public Employees Retirement System, Judges Retirement System, Highway Patrol Retirement System, North Dakota National Guard Retirement System, Law Enforcement Retirement System, Job Service System, the Uniform Group Insurance Program, Section 457 Deferred Compensation Plan, Prefunded Retiree Health Program, and the Section 125 FlexComp Program for public employees. In addition, three of the elected members are selected by the board to serve on the State Investment Board.

The Board consists of seven members. The chairman is appointed by the governor. Three members are elected by the active membership, one member is elected by the retired membership, there is an attorney general appointee, and one member is the state health officer. The board meets once a month in Bismarck with the meetings generally lasting four to five hours. Board members are paid \$62.50 per meeting.

Any active employee of a department of the State of North Dakota, or of a political subdivision that participates in NDPERS, may become a candidate for election to the Board so long as that department or political subdivision is not currently represented on the Retirement Board by a board member not up for

election (NDCC 54-52-03). Members from the Office of Administrative Hearings and Department of Commerce currently serve on the Board, so employees from those agencies are not eligible to become candidates in the upcoming election.

To be nominated as a candidate for the vacancy, an eligible individual must obtain the signatures of 100 active NDPERS members. Nomination petitions are available from the NDPERS office at 400 East Broadway, Suite 505, Bismarck, ND. You may request this information in writing, by phone or through our e-mail address at ndpers@state.nd.us. The deadline to submit petitions is 4:00 p.m., Friday, November 4, 2005. Election ballots will be mailed to active members the week of November 21, 2005. The last day for candidates to withdraw from the election is November 11, 2005. Ballots must be returned no later than the close of business on Friday, December 16, 2005. Election returns will be tabulated on Monday, December 19, 2005. The new term will begin on January 1, 2006.

If you have any questions about the election, please call the NDPERS office at 701-328-3918 or toll free at 1-800-803-7377 if you are outside the Bismarck-Mandan calling area.

Confidentiality Law

All records of a member or beneficiary are confidential and not public records. Information and records may be disclosed under limited circumstances:

- A person to whom a member/beneficiary has given written consent.
- A person legally representing the member/beneficiary upon proper proof of representation, unless member/beneficiary withholds consent.
- A person authorized by court order.
- A member's spouse or former spouse, that individual's legal representative, and the judge presiding over the member's dissolution of marriage proceedings for the purpose of drafting a Qualified Domestic Relations Order.
- A member's participating employer's authorized agent, under limited circumstances.
- A member's designated beneficiaries after the member's death. Information relating to beneficiaries may be disclosed to other beneficiaries of the same member.
- The general public, but only after the board has been unable to locate the member for a period in excess of two years, and limited to the member's name and the fact that NDPERS has been unable to locate the member.
- Any person whom the NDPERS board determines disclosure is necessary for treatment, operational, or payment purposes, including the completion of necessary documents.

A penalty for disclosure of confidential information is a Class C felony which includes a five-(5) year prison term and a \$5,000 fine (N.D.C.C. 12.1-13-01).

Thank You David

Due to his retirement, David Gunkel's term as a NDPERS Board member will conclude on October 31, 2005. David was first elected in 1994 and has served on the Board for a little over 11 years. The PERS staff extends its appreciation to David for his contribution and dedication during his tenure as a member of the NDPERS Board.



David Gunkel

MyHealthConnection ...continued from cover

What can MyHealthConnection's Health Coaches do for you and your family?

- Offer education and support on heart disease, breast cancer, diabetes and more.
- Provide information about the risks and benefits of available treatment options when you are facing a back, joint, revascularization, cancer or other surgical decision.
- Work with you to identify key questions to ask your doctor.
- Allow time to discuss your health concerns with a health professional that is willing to listen.

In addition, you will be able to access a valuable online health "encyclopedia" by logging onto www.thedialogcenter.com/bcbsnd and using MyHealthConnection's Healthwise, Knowledgebase to quickly find easy-to-understand articles on thousands of health topics at your fingertips.

Stay tuned. This month you'll receive further information in the mail on MyHealthConnection. Plan to take advantage of this complimentary, valuable new service--it can help you make better health care decisions.

The articles and opinions in this publication are for general information only and are not intended to provide specific advice or recommendations for any individual. We suggest that you consult your attorney, accountant, financial or tax advisor with regard to your individual situation. This newsletter is available in alternate formats upon request. Printed on recycled paper.

If You Plan to Visit The NDPERS Office...

Please make an appointment for counseling services if you want to meet with a PERS staff member to discuss your retirement options and or any of the benefit programs administered by this office. Although staff will accommodate walk-ins when possible, an appointment will ensure that someone is available to assist you at the time you arrive. An appointment also allows staff to prepare the appropriate benefit information to respond to your individual needs and to ensure that the time spent is productive.

Revised Election Schedule

11/25/05, 4 pm – Deadline to file petitions
 12/02/05 – Deadline for candidate withdrawal
 Week of 12/19 – Ballots sent to members
 01/13/06, 5 pm –Ballot deadline
 01/17/06 – Ballot canvassing
 01/19/06 – Results to board
 02/01/06 – New term begins